

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In Re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation

Master File No. 1:00-1898
MDL No. 1358 (SAS)
M21-88

This Document Relates To:
City of Merced Redevelopment Agency, et al. v.
Exxon Mobil Corp., et al., 08 Civ. 06306
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**STIPULATION OF DISMISSAL WITH PREJUDICE RE CERTAIN CLAIMS
AGAINST TESORO CORPORATION AND TESORO REFINING AND
MARKETING COMPANY**

WHEREAS Plaintiffs City of Merced Redevelopment Agency and Merced Designated Local Authority, as Successor Agency to the Redevelopment Agency of the City of Merced (collectively "Plaintiffs"), have agreed to dismiss their claims against Tesoro Corporation and Tesoro Refining and Marketing Company regarding the R Street Texaco a/k/a R Street Exxon a/k/a R Street Chevron station located at 1415 R Street;

WHEREAS Tesoro Corporation and Tesoro Refining and Marketing Company and Plaintiffs now respectfully request that the Court enter the following stipulation and order of dismissal:

THE PARTIES HEREBY STIPULATE AND AGREE that Plaintiffs' claims for relief against Tesoro Corporation and Tesoro Refining and Marketing Company are dismissed with prejudice at the following trial site: R Street Texaco a/k/a R Street Exxon a/k/a R Street Chevron, 1415 R Street.

THE PARTIES FURTHER STIPULATE AND AGREE that the Court is hereby authorized and requested to execute and enter the Order of Dismissal, a copy of which is attached hereto, and to make all such orders and judgments which may be necessary and proper to dismiss the claims referenced above.

THE PARTIES FURTHER STIPULATE AND AGREE that each of the parties to this stipulation shall bear and pay all costs, expenses, and attorney's fees heretofore incurred or to be incurred by each respectively in connection with this stipulation and order of dismissal.

SO STIPULATED.

Dated: March 26, 2013

Miller, Axline & Sawyer
A Professional Corporation

By: Evan Eickmeyer
MICHAEL AXLINE
EVAN EICKMEYER
Attorneys for Plaintiffs City of
Merced Redevelopment Agency and
Merced Designated Local Authority,
as Successor Agency to the
Redevelopment Agency of the City
of Merced

Dated: March __, 2013

Hunton & Williams LLP

By: _____
DIANA PFEFFER MARTIN
SUEDY TORABI
Attorneys for Defendants Tesoro
Corporation and Tesoro Refining and
Marketing Company

THE PARTIES FURTHER STIPULATE AND AGREE that each of the parties to this stipulation shall bear and pay all costs, expenses, and attorney's fees heretofore incurred or to be incurred by each respectively in connection with this stipulation and order of dismissal.

SO STIPULATED.

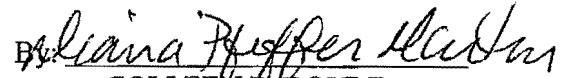
Dated: March __, 2013

Miller, Axline & Sawyer
A Professional Corporation

By: _____
MICHAEL AXLINE
EVAN EICKMEYER
Attorneys for Plaintiffs City of
Merced Redevelopment Agency and
Merced Designated Local Authority,
as Successor Agency to the
Redevelopment Agency of the City
of Merced

Dated: March 27, 2013

Hunton & Williams LLP

By: 
COLLEEN P. DOYLE
DIANA PFEFFER MARTIN
Attorneys for Defendants Tesoro
Corporation and Tesoro Refining and
Marketing Company

PROOF OF SERVICE

I am over 18 years of age, not a party to this action, and employed in the County of Los Angeles, California at 550 South Hope Street, Suite 2000, Los Angeles, California 90017. I hereby certify under penalty of perjury that I served a copy of the attached:

**STIPULATION OF DISMISSAL WITH PREJUDICE RE CERTAIN
CLAIMS AGAINST TESORO CORPORATION AND TESORO
REFINING AND MARKETING COMPANY**

upon all counsel of record in this case via File & ServeXPress.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made and that this declaration was executed on March 27, 2013.


Amada Mosqueda

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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[PROPOSED] ORDER OF DISMISSAL WITH PREJUDICE

After having considered the foregoing Stipulation of Dismissal with Prejudice re Certain Claims Against Tesoro Corporation and Tesoro Refining and Marketing Company, and for good cause shown, the Court hereby:

ORDERS, ADJUDGES, AND DECREES that claims and demands of Plaintiffs City of Merced Redevelopment Agency and Merced Designated Local Authority, as Successor Agency to the Redevelopment Agency of the City of Merced, against Tesoro Corporation and Tesoro Refining and Marketing Company regarding the R Street Texaco a/k/a R Street Exxon a/k/a R Street Chevron site located at 1415 R Street, Merced, California are hereby DISMISSED WITH PREJUDICE, each party to bear its own costs, expenses, and attorney's fees in connection with this dismissal.

IT IS SO ORDERED.

Dated: March 28, 2013



United States District Judge

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